

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

CIVIL ACTION NUMBER 1:15-CV-00462

DANIELLE SEAMAN, individually)	
and on behalf of all others similarly)	
situated,)	
)	
Plaintiff,)	MOTION TO DISMISS BY
v.)	DEFENDANTS DUKE
)	UNIVERSITY AND DUKE
)	UNIVERSITY HEALTH SYSTEM
DUKE UNIVERSITY, DUKE)	
UNIVERSITY HEALTH SYSTEM,)	<u>Fed. R. Civ. P. 12(b)(6)</u>
WILLIAM L. ROPER, AND)	
DOES 1-20,)	
)	
Defendants.)	

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and Local Rule 7.3, Defendants Duke University (“Duke”) and Duke University Health System (“DUHS”) hereby move to dismiss the Amended Complaint (DE 15) for failure to state a claim upon which relief can be granted. In support of this motion, Duke and DUHS rely on their accompanying brief.

This the 15th day of October, 2015.

Gregg H. Levy*
glevy@cov.com
Derek Ludwin*
dludwin@cov.com
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, NW
Washington, DC 20001
Telephone: (202) 662-6000
Facsimile: (202) 662-6291
**admitted pursuant to LR83.1(d)*

/s/ Paul K. Sun, Jr.
Paul K. Sun, Jr.
N.C. State Bar No. 16847
paul.sun@elliswinters.com
Matthew W. Sawchak
N.C. State Bar No. 17059
matt.sawchak@elliswinters.com
Kelly Margolis Dagger
N.C. State Bar No. 44329
kelly.dagger@elliswinters.com
ELLIS & WINTERS LLP
Post Office Box 33550
Raleigh, North Carolina 27636
Telephone: (919) 865-7000
Facsimile: (919) 865-7010

*Counsel for Defendants Duke and
DUHS*

CERTIFICATE OF SERVICE

I hereby certify that on 15 October 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

This the 15th day of October, 2015.

/s/ Paul K. Sun, Jr.

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N.C. State Bar No. 16847

paul.sun@elliswinters.com

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*Counsel for Defendants Duke and
DUHS*